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GOVERNMENT OF TRIPURA
LAW DEPARTMENT
SECRETARIAT : AGARTALA

No. F.11 (2)-Law/Lib/2018/9156 Dated, Agartala, the 17th September, 2019.

Subject :- Re-publication of Central Acts & Amendment Acts in the State Gazette.

1. The National Investigation Agency (Amendment) Act, 2019 (Act No. 16 of 2019).

17/09/19
(Rahul Roy)
ALC & Under Secretary, Law,
Government of Tripura.

THE NATIONAL INVESTIGATION AGENCY (AMENDMENT) ACT, 2019

AN

ACT

to amend the National Investigation Agency Act, 2008.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

Short title and commencement.

1. (*1*) This Act may be called the National Investigation Agency (Amendment) Act, 2019.

(*2*) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Amendment of section 1.

34 of 2008.

2. In the National Investigation Agency Act, 2008 (hereinafter referred to as the principal Act), in section 1, in sub-section (*2*),—

(*i*) in clause (*h*), the word "and" occurring at the end, shall be omitted;

(*ii*) in clause (*c*), after the words "may be", the word "and" shall be inserted;

(*iii*) after clause (*c*), the following clause shall be inserted, namely:—

"(*d*) to persons who commit a Scheduled Offence beyond India against the Indian citizens or affecting the interest of India.".

Amendment of section 2.

3. In section 2 of the principal Act, in sub-section (*1*), in clause (*h*), for the words "a Special Court constituted", the words "a Court of Session designated as Special Court" shall be substituted.

Amendment of section 3.

4. In section 3 of the principal Act, in sub-section (*2*), after the word "India", the words "and, subject to any international treaty or domestic law of the concerned country, outside India," shall be inserted.

Amendment of section 6.

5. In section 6 of the principal Act, after sub-section (*7*), the following sub-sections shall be inserted, namely:—

"(*8*) Where the Central Government is of the opinion that a Scheduled Offence has been committed at any place outside India to which this Act extends, it may direct the Agency to register the case and take up investigation as if such offence has been committed in India.

(*9*) For the purposes of sub-section (*8*), the Special Court at New Delhi shall have the jurisdiction.".

Amendment of section 11.

6. In section 11 of the principal Act,—

(*i*) in the marginal heading, for the word "constitute", the words "designate Court of Session as" shall be substituted;

(*ii*) in sub-section (*1*),—

"(*a*) for the portion beginning with the words "The Central Government", and ending with the words "Special Courts", the words "The Central Government shall, in consultation with the Chief Justice of the High Court, by notification in the Official Gazette, for the trial of Scheduled Offences, designate one or more Courts of Session as Special Court" shall be substituted;

(*b*) the following *Explanation* shall be inserted, namely:—

'*Explanation.*—For the purposes of this sub-section, the expression "High Court" means the High Court of the State in which a Court of Session to be designated as Special Court is functioning.';

(*iii*) sub-sections (*3*), (*4*), (*5*), (*6*) and (*7*) shall be omitted;

(*iv*) in sub-section (*8*),—

(*a*) for the words "by a person appointed as a Judge or an additional Judge of a Special Court", the words, brackets and figure "by the Sessions Judge of the Court of Session referred to in sub-section (*1*)" shall be substituted;

(*b*) for the words "such judge or additional judge and the Central Government", the words "judge of the Special Court and the appointing authority in consultation with the Central Government" shall be substituted;

(*c*) for the words "as may be specified in that order" occurring at the end, the words ",whichever is earlier" shall be substituted;

(*v*) for sub-section (*9*), the following sub-section shall be substituted, namely:—

"(*9*) When more than one Special Court is designated for an area or areas, the senior-most Judge shall distribute the business among them.".

Amendment of section 22.

7. In section 22 of the principal Act,—

(*i*) in the marginal heading, for the word "constitute", the words "designate Court of Session as" shall be substituted;

(*ii*) in sub-section (*1*), for the words "constitute one or more", the words "designate one or more Courts of Session as" shall be substituted;

(*iii*) in sub-sections (*2*), (*3*) and (*4*), for the word "constituted" wherever it occurs, the word "designated" shall be substituted.

Amendment of Schedule.

8. In the Schedule to the principal Act,—

(*i*) for serial number 1 and the entry relating thereto, the following serial numbers and entries shall be substituted, namely:—

"1. The Explosive Substances Act, 1908 (6 of 1908);

1A. The Atomic Energy Act, 1962 (33 of 1962);";

(*ii*) in serial number 3, for the figures, brackets and word "1982 (65 of 1982)", the figures, brackets and word "2016 (30 of 2016)" shall be substituted;

(*iii*) in serial number 8, for entry (*b*), the following entries shall be substituted, namely:—

"(*b*) Sections 370 and 370A of Chapter XVI of the Indian Penal Code (45 of 1860);

(*c*) Sections 489-A to 489-E (both inclusive) of the Indian Penal Code (45 of 1860);

(*d*) Sub-section (*1AA*) of section 25 of Chapter V of the Arms Act, 1959 (54 of 1959);

(*e*) Section 66F of Chapter XI of the Information Technology Act, 2000 (21 of 2000).".